

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF EXTENET ASSET ENTITY,)
LLC FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO PROVIDE)
LOCAL EXCHANGE AND COMPETITIVE) PSC Docket No. 19-0056
INTRASTATE TELECOMMUNICATIONS SERVICES)
IN THE STATE OF DELAWARE)
(SUBMITTED JANUARY 29, 2019;)
FILED APRIL 24, 2019))

ORDER NO. 9393

AND NOW, this 21st day of May 2019, the Delaware Public Service Commission ("Commission") determines and orders the following:

WHEREAS, on April 24, 2019, ExteNet Asset Entity, LLC ("EAE" or the "Company") filed a completed application ("Application") with the Commission seeking a Certificate of Public Convenience and Necessity ("CPCN") to provide local exchange and competitive intrastate telecommunications services throughout the State of Delaware; and

WHEREAS, the Company anticipates serving customers by primarily providing distributed network services ("DNS") and networks targeted to wireless service providers ("WSP") on a wholesale basis, including, initially, point-to-point telecommunications services; and

WHEREAS, EAE has requested a waiver of the requirements of 26 Del. C. § 208(b) requiring the Company to keep its books and records in an office within this State; and

WHEREAS, the Company did not file tariff sheets or price sheets per 26 Del. Admin. C. § 4001-4.5.1 because the Company does not provide switched access service; and

WHEREAS, EAE provided the appropriate affidavits of publication of notice of the Application in the Delaware State News newspaper on April 8, 2019; and

WHEREAS, Commission Staff ("Staff") reports that it received no formal comments or objections regarding the Application within the required 20-day notice period; and

WHEREAS, Staff reports that EAE provided sufficient information demonstrating that it has the financial, technical, and operational capabilities required for a CPCN as set forth in the Section 203A of Title 26 of the Delaware Code and the Commission's "Rules for the Provision of Telecommunications Services," 26 *Del. Admin. C.* § 4001 (the "Rules"); and

WHEREAS, the Commission determines that a CPCN should be granted to EAE to authorize it, as a public utility, to offer local exchange and competitive intrastate telecommunications services within the State of Delaware under the provisions of 26 *Del. C.* § 203A and the Rules;

**NOW THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE VOTE
OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That pursuant to 26 *Del. C.* § 203A and Subchapter VII-A, Chapter 1 of Title 26 of the Delaware Code and the Rules, the Commission grants to ExteNet Asset Entity, LLC, a CPCN to operate as a public utility and provide local exchange and competitive intrastate telecommunications services as described in the Application.

2. That the Company shall provide telecommunications services in the manner required by the Rules and at all times shall comply with all applicable provisions of the Delaware Code, the Commission's Rules and

Regulations, and all other applicable laws, rules, regulations, and orders.

3. That the provisions of 26 Del. C. § 208(b) are waived, and EAE is authorized to maintain its books and records relating to its Delaware operations outside of the State of Delaware; provided, however, and upon the condition that, EAE shall provide to the Commission at its Dover, Delaware office, in a timely manner and upon the written request of the Commission's Executive Director, all such books and records relating to the Company's Delaware operations as the Commission may deem reasonably necessary from time to time for review and copying. If the Commission must review the Delaware-related books and records of EAE at a location other than the Commission's Dover, Delaware office, EAE shall pay for the expenses of such review.


4. That a violation of this Order, the Commission's Rules and Regulations, or other applicable law, rule, regulation, or order may result in suspension or revocation of the CPCN.

5. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:



Chairman



Commissioner

Commissioner

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Commissioner

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Commissioner

ATTEST:

[Handwritten signature]
Secretary

